

KATHLEEN J. ENGLAND  
Nevada Bar No. 206  
**GILBERT & ENGLAND LAW FIRM**  
610 South Ninth Street  
Las Vegas, Nevada 89101  
Telephone: 702.529.2311  
E-mail: [kengland@gilbertenglandlaw.com](mailto:kengland@gilbertenglandlaw.com)

JASON R. MAIER  
Nevada Bar No. 8557  
DANIELLE J. BARRAZA  
Nevada Bar No. 13822  
**MAIER GUTIERREZ & ASSOCIATES**  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
Telephone: 702.629.7900  
E-mail: [jrm@mgalaw.com](mailto:jrm@mgalaw.com)  
[djb@mgalaw.com](mailto:djb@mgalaw.com)

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WILLIAM J. BERRY, JR.; CYNTHIA FALLS;  
SHANE KAUFMANN,

Plaintiffs,

vs.

DESERT PALACE, INC. d/b/a CAESARS  
PALACE; et al.,

Defendants.

Case No.: 2:17-cv-00019-APG-BNW

**NOTICE OF APPEAL AND  
REPRESENTATION STATEMENT**

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff William J. Berry, Jr. ("Plaintiff"),<sup>1</sup> in the above-named case, by and through his attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES and GILBERT & ENGLAND LAW FIRM, hereby appeals to the United States Court of Appeals for the Ninth

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<sup>1</sup> Through an order entered on March 15, 2018 [ECF No. 64], plaintiff William Berry's claims were severed from those of the other plaintiffs for purposes of trial under FRCP 42(b).

Circuit from an order denying reconsideration entered in this action on September 3, 2020 [ECF No. 163], a copy of which is attached hereto as **Exhibit 1**, along with the underlying order associated with that motion for reconsideration, granting summary judgment in favor of Defendant Desert Palace, Inc. d/b/a Caesars Palace, which is attached hereto as **Exhibit 2**, entered in this action on October 18, 2019.

**REPRESENTATION STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2(b), Plaintiff hereby identifies all parties to the action appealed from, including the name, firm, address, and telephone number of each party's respective counsel of record:

1. Plaintiffs:

William J. Berry, Jr.  
c/o Jason R. Maier, Esq.  
Danielle J. Barraza, Esq.  
MAIER GUTIERREZ & ASSOCIATES  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
(702) 629-7900

and

c/o Kathy J. England, Esq.  
GILBERT & ENGLAND LAW FIRM  
610 South Ninth Street  
Las Vegas, Nevada 89101  
(702) 529-2311

Cynthia Falls  
c/o Jason R. Maier, Esq.  
Danielle J. Barraza, Esq.  
MAIER GUTIERREZ & ASSOCIATES  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
(702) 629-7900

and

c/o Kathy J. England, Esq.  
GILBERT & ENGLAND LAW FIRM  
610 South Ninth Street  
Las Vegas, Nevada 89101  
(702) 529-2311

Shane Kaufmann  
c/o Jason R. Maier, Esq.  
Danielle J. Barraza, Esq.

MAIER GUTIERREZ & ASSOCIATES  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
(702) 629-7900

and

c/o Kathy J. England, Esq.  
GILBERT & ENGLAND LAW FIRM  
610 South Ninth Street  
Las Vegas, Nevada 89101  
(702) 529-2311

2. Defendant:

Desert Palace, Inc. d/b/a Caesars Palace  
c/o Patrick H. Hicks, Esq.  
Ethan D. Thomas, Esq.  
LITTLER MENDELSON, P.C.  
3960 Howard Hughes Parkway, Suite 300  
Las Vegas, Nevada 89169  
(702) 862-8800

and

c/o Esther G. Lander, Esq.  
AKIN GUMP STRAUSS HAUER & FELD LLP  
2001 K Street, N.W.  
Washington, D.C. 20006  
(702) 887-4000

DATED this 1<sup>st</sup> day of October, 2020.

Respectfully submitted,

**MAIER GUTIERREZ & ASSOCIATES**

/s/ Danielle J. Barraza

JASON R. MAIER  
Nevada Bar No. 8557  
DANIELLE J. BARRAZA  
Nevada Bar No. 13822  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148

KATHLEEN J. ENGLAND  
Nevada Bar No. 206  
**GILBERT & ENGLAND LAW FIRM**  
610 South Ninth Street  
Las Vegas, Nevada 89101  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 1st day of October, 2020, service of the foregoing **NOTICE OF APPEAL AND REPRESENTATION STATEMENT** was electronically filed with the Clerk of the Court using Court's CM/ECF system, and served to all parties and counsel of record registered to receive CM/ECF notifications:

Patrick H. Hicks, Esq.  
Ethan D. Thomas, Esq.  
LITTLER MENDELSON, P.C.  
3960 Howard Hughes Parkway, Suite 300  
Las Vegas, Nevada 89169

Esther G. Lander, Esq.  
AKIN GUMP STRAUSS HAUER & FELD LLP  
2001 K Street, N.W.  
Washington, D.C. 20006  
*Attorneys for Defendant Desert Palace, Inc.  
d/b/a Caesars Palace*

/s/ Natalie Vazquez

An employee of MAIER GUTIERREZ & ASSOCIATES